

Message Text

CONFIDENTIAL

PAGE 01 STATE 299668

63

ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 CPR-01 SCS-03 SCA-01 INR-07
INRE-00 SSO-00 /028 R

DRAFTED BY L/M:HFSHAMWELL:MFM

APPROVED BY L/M:HFSHAMWELL

EUR/CE - MR. KORNBLUM

SCA/SCS - MRS. MULLIN

EUR/SE - MR. ROBIN DELABARRE

----- 067112

O R 092224Z DEC 76

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA IMMEDIATE

INFO AMEMBASSY BERLIN

AMCONSUL ISTANBUL

C O N F I D E N T I A L STATE 299668

E.O. 11652: GDS

TAGS: CGEN, GE, TU, US

SUBJECT: US/GDR CONSULAR CONVENTION

REF: ANKARA 8599

1. REFTEL REQUESTED INFORMATION ON NEGOTIATION OF CONSULAR CONVENTION WITH GDR FOR PURPOSE OF ASSISTING TURKISH MFA SHOULD PROPOSAL FOR BILATERAL BE RAISED BY GDR. EMBASSY IS AUTHORIZED TO INFORM MFA THAT SUCH NEGOTIATIONS HAVE IN FACT BEEN IN PROGRESS SINCE FEBRUARY 1975 AND HAVE THUS FAR CONSUMED THREE ROUNDS. FOURTH ROUND IS ANTICIPATED; HOWEVER, IT IS UNCERTAIN AT THIS TIME WHAT DATE WILL BE SET.

2. SINCE COMMENCEMENT OF NEGOTIATIONS, GDR HAS PRESSED FOR DEFINITION OF "NATIONALITY" AS PROVISION IN TREATY. REASONS FOR THIS PROPOSAL ARE OBVIOUS. RECOGNITION BY USG OF GDR RIGHT TO DETERMINE WHO A "GERMAN" NATIONAL IS WOULD BE MAJOR VICTORY OVER FRG. US SIDE HAS CONSISTENTLY AND UNEQUIVOCALLY REJECTED ALL PROPOSALS FOR SUCH A DEFINITION, CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 299668

CITING BOTH LACK OF PRECEDENT AND LACK OF NEED IN A CON-

SULAR CONVENTION. DURING SECOND ROUND OF TALKS, GDR ADMITTED THAT ITS AIM WAS PURELY POLITICAL AND AGAIN REQUEST USG TO CONSIDER PROPOSAL FROM THIS POINT OF VIEW. DURING THIRD ROUND, US SIDE AGAIN FIRMLY REJECTED IT AND LITTLE

FURTHER DISCUSSION OF THIS MATTER HAS OCCURRED DURING FORMAL NEGOTIATIONS. ALTHOUGH PREVIOUS PACE OF BILATERAL NEGOTIATIONS WOULD HAVE DICTATED A FOURTH ROUND SOMETIME DURING THE PAST SUMMER, THE GDR HAS AS YET FAILED TO RESPOND TO THE LATEST US NOTE (MAY 28, 1976) REQUESTING EARLY CONSIDERATION OF THE LATEST DRAFT SUBMITTED BY THE US SIDE. THIS DRAFT WAS SUBMITTED IN ACCORDANCE WITH THE AGREEMENT ENTERED INTO BY BOTH SIDES DURING THE MARCH ROUND OF TALKS HELD IN WASHINGTON.

3. DEPT. WOULD STRONGLY ENDORSE GOT'S OPPOSITION TO PROPOSAL BY GDR FOR INCLUSION OF NATIONALITY DEFINITION IN PROPOSED GDR-TURKEY CONSULAR CONVENTION. WITH RESPECT TO FRG INTEREST, DEPT. HAS ADVISED THAT GOVERNMENT OF ITS NEGOTIATING POSITION ON THE NATIONALITY ISSUE, BUT HAS MADE NO SPECIFIC PROMISE TO GUARANTEE ACCESS BY FRG TO ANY PERSON CONSIDERED TO BE "GERMAN" NATIONAL UNDER FRG LAW. RATHER, DEPT. HAS ASSURED FRG THAT IT WOULD NOT STAND IN WAY OF FRG ACCESS TO SUCH PERSONS, ASSUMING THE LATTER'S DESIRE FOR CONSULAR CONTACT, EVEN WHEN THE RELEVANT TRAVEL DOCUMENTS REFLECT ENTRY AS A GDR NATIONAL.

4. FOR ANKARA AND ISTANBUL: SINCE EMBASSY HAS REQUESTED ASSISTANCE IN CONNECTION WITH PROPOSED CONSULAR CONVENTION BETWEEN TURKEY AND THE GDR, DEPT. TAKES THIS OPPORTUNITY TO REQUEST AN UPDATE ON COURSE OF US-TURKEY CONSULAR CONVENTION. DEPT. REFERS TO ITS TELEGRAM DATED DECEMBER 10, 1971 (STATE 222784) WHICH FORWARDED EXTENSIVE COMMENTS ON A TURKISH DRAFT OF A BILATERAL CONVENTION. AT THAT TIME, DEPT. NOTED THAT SCHEDULE OF NEGOTIATIONS WITH E. EUROPEAN COUNTRIES WAS SUCH THAT IT WOULD BE DIFFICULT TO ACCOMMODATE ANOTHER. WITH THE EXCEPTION OF THE GDR NEGOTIATIONS, THE E. EUROPEAN PHASE OF NEGOTIATIONS IS LARGELY COMPLETE. THEREFORE, IF EMBASSY AND CONGEN PERCEIVE A NEED AND AN OPPORTUNITY FOR MOVING AHEAD ON THE BILATERAL FRONT, DEPT. CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 299668

WOULD BE IN POSITION TO SUPPORT SUCH AN ENDEAVOR. WHILE DEPT. IS AWARE THAT TURKEY HAS NOW DEPOSITED RATIFICATION OF THE VIENNA CONVENTION, IT DOES NOT APPEAR THAT THIS TREATY TREATS IN SUFFICIENT DETAIL THOSE AREAS WHICH HAVE TRADITIONALLY CAUSED THE MAJOR PROBLEMS FOR US CONSULAR OFFICIALS IN TURKEY. PROMPT NOTIFICATION OF THE DETENTION OF US CITIZENS AND GUARANTEED ACCESS TO THEM WITHIN A SHORT PERIOD OF TIME IS A CASE IN POINT.

5. DEPT. IS CURRENTLY UNDERGOING THOROUGH AUDIT OF ITS
CONSULAR FUNCTION BY GAO. ONE AREA BEING CAREFULLY AND
PERSISTENTLY INVESTIGATED IS THE STATUS OF BILATERAL CON-
SULAR CONVENTIONS, ESPECIALLY IN THOSE AREAS OF THE WORLD
WHERE SIGNIFICANT PROBLEMS IN EXECUTING NORMAL CONSULAR

FUNCTIONS HAVE BEEN EXPERIENCED. IN LIGHT OF THIS IN-
QUIRY AND IN THE SPIRIT OF FILLING IN THE GAPS ON THIS
ISSUE, DEPT. WOULD APPRECIATE RECEIVING CURRENT ASSESSMENT
OF EMBASSY AND CONGEN ON THIS SUBJECT. ROBINSON

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 09 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE299668
Document Source: CORE
Document Unique ID: 00
Drafter: HFSHAMWELL:MFM
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760455-0764
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761257/aaaabwys.tel
Line Count: 126
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 ANKARA 8599
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 31 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31 MAR 2004 by hartledg>; APPROVED <02 AUG 2004 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: US/GDR CONSULAR CONVENTION
TAGS: CGEN, GC, TU, US
To: ANKARA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006